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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,184	03/15/2002	Ralf Duceck	1949	1706

7590 03/27/2006  
Striker Striker & Stenby  
103 East Neck Road  
Huntington, NY 11743

EXAMINER

GIBSON, ERIC M

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/018,184	<b>Applicant(s)</b> DUCKECK, RALF	
	<b>Examiner</b> Eric M. Gibson	<b>Art Unit</b> 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/14/06</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 2/28/2006 has been entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10, 11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Koizumi et al. (US006151552A).

a. As per claim 10, Koizumi teaches a method for controlling the scale of a map detail shown on a display unit of a navigation device, including setting the scale as a function of the distance of the current vehicle position from a next decision point located between the position and a destination (column 18, lines 12-14), setting the

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scale in such a way that the current position and next decision point are shown on the display (column 25, lines 55-57) simultaneously together with the guidance route which includes the enlarged intersection, and displaying the route in the largest possible scale for the display unit (column 18, lines 35-39).

b. As per claim 11, Koizumi teaches setting the scale such that a predetermined surrounding area can be shown on the display (column 23, lines 2-8).

c. As per claim 15, Koizumi teaches a navigation device including a display unit for showing a map detail (14, figure 1), a control unit for setting the scale of the map detail display (10, figure 1), wherein the control unit sets the scale of the map display as a function of the distance of a current vehicle position from a next decision point (column 18, lines 12-14), setting the scale in such a way that the current position and next decision point are shown on the display (column 25, lines 55-57) simultaneously together with the guidance route which includes the enlarged intersection, and displaying the route in the largest possible scale for the display unit (column 18, lines 35-39).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koizumi in view of Takanabe et al. (US004675676A).

a. As per claim 12, Koizumi teaches the invention as explained in the rejection of claim 10. Koizumi does not teach that the scale is inversely proportional to the distance. Takanabe teaches a method of controlling the scale of a map detail shown on a display unit of a navigation device including setting the scale of map detail displayed as a function of a distance from a decision point on a calculated driving route, wherein the scale is inversely proportional the distance (see table 1, column 14), in order to provide an increasingly larger scale as the vehicle approaches the point. It would have been obvious to one of ordinary skill in the art, at the time of invention, for the scale to be inversely proportional the distance in the system of Koizumi, in order to provide an increasingly larger scale as the vehicle approaches the point, as taught by Takanabe.

b. As per claim 13, Koizumi teaches the invention as explained in the rejection of claim 10. Koizumi does not teach that the scale is increased in preset stages as the vehicle approaches the point. Takanabe teaches a method of controlling the scale of a map detail shown on a display unit of a navigation device including setting the scale of map detail displayed as a function of a distance from a decision point on a calculated driving route, wherein the scale is increased in preset stages (see table 1, column 14), in order to provide an increasingly larger scale as the vehicle approaches the point. It would have been obvious to one of ordinary skill in the art, at the time of invention, for the scale to be increased in preset stages in the system of Koizumi, in

order to provide an increasingly larger scale as the vehicle approaches the point, as taught by Takanabe.

c. As per claim 14, Koizumi teaches the invention as explained in the rejection of claim 10. Koizumi does not teach changing the scale when the current vehicle position has reached a decision point. Takanabe teaches a method of controlling the scale of a map detail shown on a display unit of a navigation device including setting the scale of map detail displayed as a function of a distance from a decision point on a calculated driving route, wherein the scale is changed when the current vehicle position has reached a decision point (column 15, lines 37-55), in order to show greater details as the vehicle approaches a destination. It would have been obvious to one of ordinary skill in the art, at the time of invention, for the scale to be changed when the current vehicle position has reached a decision point in the system of Koizumi, in order to show greater details as the vehicle approaches a destination, as taught by Takanabe.

### ***Response to Arguments***

4. Applicant's arguments filed 2/28/2006 have been fully considered but they are not persuasive. The added limitation that the current vehicle position and a next decision point are shown on the display simultaneously is taught by Koizumi as explained in the above rejections. Specifically, the invention of Koizumi shows that enlarged view processing is performed whenever the vehicle is within a predetermined distance from the decision point. Furthermore, addressing the limitation that the vehicle

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location and the next decision point are simultaneously on the display, Koizumi teaches that the mark indicating the vehicle location is also indicated in the enlarged view processing as described at column 25, lines 55-57 together with the guidance route which includes the enlarged intersection.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Gibson whose telephone number is (571) 272-6960. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EMG

  
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SUPERVISORY PATENT EXAMINER  
GROUP 3600